

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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PETER J. GLEASON,

Plaintiff,

MEMORANDUM & ORDER

- against -

12 CV 4123 (RJD) (RLM)

NICHOLAS SCOPPETTA et al.,

Defendants.

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DEARIE, District Judge

After accepting a Rule 68 offer of judgment in the amount of \$25,001.00, plaintiff submitted an application for an award of reasonable attorneys' fees, costs, and expenses. Plaintiff sought \$326,306.00 for work performed by Dunnington, Bartholow & Miller LLP ("Dunnington"); \$11,500.00 for work performed by John Lenoir; and \$15,577.00 in costs. The application was referred to Chief Magistrate Judge Roanne L. Mann. In a Report and Recommendation dated December 30, 2015 ("Report"), Judge Mann awarded \$145,873.00 for work performed by Dunnington; \$10,500.00 for work performed by John Lenoir; and \$17,333.13 in costs. Plaintiff objects to the portion of the Report awarding fees to Dunnington, claiming that Judge Mann incorrectly adjusted Dunnington's hourly rate and hours expended.

The Court has considered plaintiff's objections and finds them without merit. However, given the full picture, the Court approves a slight modification to the Report, and awards an hourly rate of \$375.00 for work performed by Raymond J. Dowd and an hourly rate of \$100.00 for work performed by Dunnington's paralegals. The Report is adopted in all other respects. Accordingly, plaintiff is awarded attorneys' fees in the amount of \$153,965.00, instead of

\$145,873.00, for services rendered by Dunnington; \$10,500.00 for services rendered by John Lenoir; and \$17,333.13 in costs.

SO ORDERED.

Dated: Brooklyn, New York
June 3, 2016

s/ RJD

~~RAYMOND J. DEARIE~~
~~United States District Judge~~